

A N A C T
FOR THE
Better Observation
OF THE
LORDS-DAY.

At the Parliament begun at *Westminster* the 17th day
of September, *Anno Dom.* 1656.



DUBLIN,
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AN ACT
FOR THE
Better Observation
OF THE
LORD'S DAY.



As much as God hath appointed one Day in seven to be kept holy unto himself, and that in order thereunto man should abstain from the works of his ordinary Calling, and hath intrusted the Magistrate amongst others, to take Care thereof within his Gates; And whereas it is found by daily experience, that the first day of the week (being the Lords Day, and since the

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Resurre.



Resurrection of Christ to be acknowledged the Christi-
 an Sabbath) is frequently neglected and profaned to
 the Dishonor of Christ, and Profession of the Gospel;
 Therefore for the Better Observation of the said Day,
 and preventing in some measure such Profanation ther-
 of for the future, Be it Enacted by His Highness the
 Lord Protector, and the Parliament of the Common-
 wealth of England, Scotland and Ireland, and the Domi-
 nions thereunto belonging, That whatsoever person
 or persons within this Commonwealth shall be found
 guilty according to this Act, of doing and committing
 the Offences hereafter mentioned upon the said Lords-
 Day, that is to say, Betwixt Twelbe of the Clock on
 Saturday night, and Twelbe of the Clock Lords-Day
 night, shall be adjudged, deemed and taken to be guilty
 of Profaning the Lords-Day; That is to say, Every
 person being a Wagoner, Carrier, Butcher, Higler,
 Drover, or any of their servants travelling or coming
 by Land or Water, into his or their Inn, House or
 Lodging within the times aforesaid; And every Inn-
 Keeper, Victualler or Alehouse-Keeper, who shall lodg &
 entertain any such Wagoner, Carrier, Butcher, Higler,
 Drover or their servants, coming and travelling as a-
 fforesaid; Every person using or imploying any Boat,
 Wherry, Lighter, Barge, Horse, Coach or Sedan, or
 travelling or laboring with any of them upon the Day
 aforesaid (except it be to and from some place for the ser-
 vice of God, or except in case of necessity, to be allowed by
 some Justice of the Peace) every person being in any Ta-
 bern, Inn, Alehouse, Victualing-house, Strongwater
 house, Tobacco-house, Cellar or Shop (not lodging there,
 nor upon urgent necessity, to be allowed by a Justice of
 Peace) or fetching or sending for any Wine, Ale or Beer,
 Tobacco, Strong-water, or other strong Liquor unne-
 cessarily, and to Tipple within any other House or
 Shop; And the Keepers or Owners of every such Hou-
 ses, Cellars or Shops, keeping or causing to be kept
 their doores ordinarily and usually open upon the Day
 aforesaid; Every person Dauncing or profanely Sing-
 ing or Playing upon Musical Instruments, or Tipling
 in any such Houses, Cellars or Shops, or elsewhere
 upon the day aforesaid, or harboring or entertaining the
 persons

persons so offending; Every person Grinding or causing to be Ground any Corn or Grain in any Mill, or causing any Fulling or other Mills to work upon the Day aforesaid; And every person working in the Washing, whitening or Drying of Clothes, Threed or Yarn, or causing such work to be done upon the day aforesaid; Every person setting up, burning or branding Beet, Turf or earth, upon the day aforesaid; Every person gathering of Rates, Loans, Taxations or other Payments upon the Day aforesaid (Except to the use of the Poor in the Publique Collections) Every Chaundler Melting or causing to be melted, Tallow or Wax belonging to his Calling; And every common Brewer and Baker, Brewing and Baking, or causing Bread to be baked, or Beer or Ale to be brewed upon the Day aforesaid; And every Butcher killing any Cattel, and every Butcher, Costermonger, Poultterer, Herb-Seller, Cordwainer, Shoemaker or other persons Selling, exposing or offering to sell any their Wares or Commodities, and the persons buying such Wares or Commodities upon the Day aforesaid; All Taylors and other Tradesmen, fitting or going to fit, or carry any wearing Apparel or other things; And Barbers Trimming upon the Day aforesaid; All persons keeping, using or being present upon the Day aforesaid at any Fairs, Markets, wakes, Revels, Wrestling, Shootings, Leaping, Bowling, Ringing of Bells for pleasure, or upon any other occasion (saving for calling people together for the Publick worship) Feasts, Church-Ale, May-Poles, Gaming, Bear-Baiting, Bull-Baiting, or any other Sports and Pastimes; All persons unnecessarily walking in the Church or Church-Yards, or elsewhere in the time of Publick worship; And all persons vainly and profanely walking on the Day aforesaid; And all persons Travelling, carrying Burthens, or doing any worldly labors or work of their ordinary Calling on the Day aforesaid, shall be deemed guilty of profaning the Lords Day.

And it is Enacted by the Authority aforesaid, That every person being of the age of fourteen years or upwards, offending in any of the premises, and being convicted thereof by confession, or the view of any Mayor,

Head-Officer or Justice of the Peace, or upon the Testimony of One or more Witnesses upon Oath, before any such Mayor, Head-Officer or Justice of the Peace in the County, City, Division or place where the Offence shall be committed (which Oath the said Mayor, Justice of Peace or Head-Officer, shall and may administer) shall for every such Offence whereof he shall be so convicted, forfeit the Sum of Ten shillings: Besides which forfeitures, all and every person and persons Selling, exposing or offering to sell any Wares or Commodities upon the Day aforesaid, and in like manner duly convicted, shall have their Wares and Commodities so sold, exposed, or offered to be sold, Seized and disposed of as is by this Act appointed.

Provided, and it is hereby Enacted and Declared, That nothing in this Act contained, shall extend to the prohibiting the Dressing of Meat in private Families, or the Dressing or Sale of Victuals in a moderate way in Inns, Victualling-Houses or Cooks Shops, for the use of such as cannot otherwise be provided for, or to the crying or selling of Milk before Nine of the clock in the morning, or after Four of the clock in the afternoon, from the Tenth of September, till the Tenth of March; or before Eight of the clock in the morning, or after Five of the clock in the afternoon, from the Tenth of March till the Tenth of September yearly, nor to hinder any other works of Piety, Necessity or Mercy, to be allowed by a Justice of Peace.

And whereas many Navigable Rivers or Waters extend themselves into, or are the Bounds of more Counties than one, by reason whereof, some doubts have been raised, whether the Justices of the Peace of any County lying on the one side of such River have any, or how far they may have Jurisdiction or Power upon or over the same; Be it therefore Enacted by the Authority aforesaid, That the Justices of Peace of any such County, or the Constable or other Officers of any Parish lying on either side of such River, shall have Power, and are hereby authorized and required to put this Act in Execution, for the apprehending and punishing of all Water-Men, Barge-Men or other persons whatsoever, who shall on the said Day be found contrary to this Act,
Travelling,

Travelling, Rowing or Working in or with any Boat, Lighter, Barge, or other smaller Vessel on any part of such River; and the said Boats, Lighters, Barges and other Vessels, shall Seiz and stay, or cause to be Seized and stayed until Twelve of the clock of the said night, and until the Penalties hereby inflicted on such person or persons as shall be discovered to have offended therein, be duly paid and satisfied to the Officer or Officers of that Town or Parish (on either side such River) as shall first discover and attempt the pursuing, seizing or staying thereof.

And it is Enacted by the Authority aforesaid, That all Elections, Swearing & taking of place of Mayors, Sheriffs, Bayliffs, Aldermen, or other Officer whatsoever, in any City, Borough, Town Corporate, or any other place within this Commonwealth, that after the first day of August next ensuing, by virtue or colour of any Act of Parliament, Charter, Custom, Prescription or otherwise, should or might fall out to be upon a Lords-Day; And all Commissions and Courts, which by means of any adjournment or other cause; And all Returns of Writs which shall fall out to be upon any Lords-day as aforesaid, shall be, and are hereby authorized and required to be kept, had and done, sat upon, & executed upon the next day which shall ensue such Lords-Day; And all Mayors, Recorders, Stewards, Town-Clerk, or other Officers or persons whatsoever, that have, or after the said first day of August next, shall have Power and Authority to Elect, Swear, or give any Charge or Oath for taking any such Place, Oath or Office, or to keep any Courts, shall and may, and are hereby Authorized and Required to make such Elections, give such Oath and Charge, and take such Oaths, Places or Offices, or keep such Courts as abovesaid, upon the day next ensuing such Lords-Day; And that all Customs, Rents and Services due to Lords of Manors, which by virtue of any Custom, Prescription or otherwise, are, or ought to be done, performed and paid upon any Lords-Day, shall after the said first day of August next, be done, performed and paid upon the day next following such Lords-Day, and shall be as valid and effectual to all intents and purposes whatsoever,

soever, as if the same had been done upon y^e said Lords-
 Day; And that all Rents, Sums of Money, Cove-
 nants and Conditions, payable or performable upon
 any Lords-Day, shall and may be paid and performed
 upon the day next ensuing such Lords-Day, and that
 such payment and performance thereof, shall be as good
 and effectual in the Law, to all intents and purposes,
 to save all penalties, Re-entries or Forfeitures whatso-
 ever, as if the same had been made and performed at or
 upon the day limited or appointed in or by any Bond,
 Lease, Covenant, Indenture or other Deed or Agree-
 ment whatsoever, Any Law, Usage or Custom to the
 contrary hereof notwithstanding: And that no Fair,
 Market, or Proclamation of any Fair or Market shall
 be had, made or used upon any Lords-Day, but upon
 the day next ensuing; Nor shall any person or persons
 serve, or cause to be served, any Writ, Proces, Warrant,
 Order, Judgement or Decree (Except in causes of
 Treason, Felony, Breach of the Peace, and Propha-
 nation of the Lords-Day) upon pain that every person
 and persons, Bodies Politique and Corporate, offen-
 ding in any the particulars last mentioned, shall forfeit
 the Sum of five pounds to be recovered in name of
 the Lord Protector, by bill, Plaint, Writ or Action of
 Debt in any Court of Record, or upon Information or
 Indictment before the Justices of the Peace in the open
 Sessions, who have hereby Power to hear and deter-
 mine the same, and to be disposed; viz. One moiety to
 the use of His Highness the Lord Protector, & the other
 moiety to the use of him or them that will sue or prose-
 cute for the same; And that the service of every such
 Writ, Action, Proces, Warrant, Order, Judgement or
 Decree shall be void to all intents and purposes what-
 soever.

And whereas many Fairs and Markets are kept up-
 on Saturdays and Sundays, whereby is often occasi-
 oned the prophanation of the Lords-Day, It is hereby
 Enacted by the Authority aforesaid, That all and every
 person and persons resorting to sell or buy Commodities
 in any such Fairs and Markets, shall in due time come
 to and depart from the same, and strictly observe the
 Laws and Rules of the Markets, that the observation
 of

of the Lords Day may not thereby be violated: upon pain that every person travelling to or from such Fairs or Markets upon the Lords Day, and duly convicted as aforesaid, before one or more Justices of the Peace, who have hereby power by their own view, confession of the parties, or the Oath of one or more Witnesses (which Oath they may administer) to hear and determine the same, shall forfeit for every offence the sum of Ten shillings.

And to the end this Act may be duly observed and henceforth put in execution, Be it Enacted by the Authority aforesaid, That all and every Mayor, Head-Officers and Justices of Peace within their respective Counties, Limits and Jurisdictions, are hereby Enjoined and Authorized from time to time under their Hands and Seals, to appoint and require such Church-wardens, Overseers of the Poor, Constables and other persons within their several Jurisdictions, as they shall think fit, to seize and secure such Wares and Commodities as shall be sold, exposed, cryed, or offered to sale contrary to this Act, upon the day aforesaid, and to search for, discover, secure, apprehend and bring before them or any other Justice of Peace of the County or place where they shall be apprehended, all and every person and persons whom they shall finde profaning and violating, or shall know or be informed to have profaned and violated the Lords Day in any the particulars herein mentioned, or shall have just cause to suspect for the same; which said Warrant so received, the said Constables, Tythingmen, Churchwardens, Overseers of the Poor, or either of them to whom the said Warrant is or shall be directed, shall make publication of in the said Parish Church or Chappel fourteen days before execution of the same, and after such Publication and end of the said fourteen days, the said Constables, Tythingmen or Overseers of the Poor so Authorized, and every of them, are hereby required and authorized to do and perform their duties accordingly, without expecting any particular Warrant for the same, upon such pains and penalties as are hereafter in this Act inflicted upon wilful neglecters of their duty.

And for the better execution of the Powers aforesaid,

the Constables, Churchwarden or Overseer of the Poor so authorized, are hereby Required and Authorized to Demand Entrance into any Dwelling house, or other place whatsoever suspected by them to harbor, entertain or suffer to be any person or persons profaning the Lords Day; And if such Entrance be either wilfully delayed or refused, all and every person or persons so delaying or refusing, being convicted thereof (as by this Act is appointed) shall forfeit the Sum of Twenty shillings.

And all Churchwardens and Overseers of the Poor, and Constables within their several Limits, are hereby Injoynd and Authorized upon their own view and knowledge, as well with Warrant as without, to seize and secure all such Wares and Commodities sold, exposed or offered to be sold, and to apprehend, secure and stop all offenders against this Law, with their Horses and Carriages (if any such shall be) and after apprehension, to bring such Offenders before any Justice of Peace, to be dealt with according to the directions of this Act, unless the Offender, shall forthwith pay the Penalty forfeited by this Act to such Officer.

And it is Enacted by the Authority aforesaid, That if any children or servants under the Age of fourteen years, offending in any the offences within this Act mentioned, and thereof convicted before any Mayor, Head-Officer, or any one or more Justices of the Peace as aforesaid, the Parents, Guardians, Masters, Mistresses or Tutors of all such children and servants, shall forfeit the Sum of One shilling for every such servant or childe so offending and thereof convicted as aforesaid, unless such Parent, Guardian, Master, Mistress or Tutor, shall in the presence of the Churchwardens, Overseers for the Poor, or other Officer, or one of them, give or cause to be given unto such childe or servant so offending, due correction.

And to the end that no profane licentious person or persons whatsoever, may in the least measure receive encouragement to neglect the performance of Religious and Holy Duties on the said Day, by colour of any Law or Laws giving liberty to truly tender Consciences;
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Be it Enacted by the Authority aforesaid, That all and every person and persons shall (having no reasonable excuse for their absence, to be allowed by a Justice of Peace of the County where the Offence shall be committed) upon every Lords-Day diligently resort to some Church or Chappel where the true worship and Service of God is exercised, or shall be present at some other convenient Meeting-place of Christians, not differing in matters of Faith from the publique Profession of the Nation, as it is expressed in the Humble Petition and Advice of the Parliament to His Highness the Lord Protector, where the Lords-Day shall be duly sanctified, according to the true intent and meaning of this Act, upon pain that all & every such person or persons so offending, shall for every such Offence being thereof convicted, forfeit the sum of Two shillings and six pence.

And it is Enacted by the Authority aforesaid, That no person being the Minister or publique Preacher of or in any Church, Chappel, or publique Congregation within this Commonwealth, and officiating and doing his Duty therein upon any Lords-Day, or at any other times shall be molested, hindered or disturbed therein by any person whatsoever; And if any person or persons shall after the first day of August next ensuing, maliciously, wilfully, or of purpose molest, let, disturb, disquiet or otherwise trouble any such Minister or publique Preacher in the doing and performing the duty of their respective places, or in his going to or returning from such place, or make or cause to be made any publique disturbance in any part of the Lords-Day in any of the places aforesaid, it shall and may be lawful to and for any Churchwarden, Overseer of the Poor, or Constable of the Parish and place where such molestation, disturbance and disquieting shall be, and they are hereby enjoined to apprehend all and every person and persons offending therein, or in case of escape before such apprehension, for the Churchwardens, Overseers of the Poor, or Constables of any other Parish or place where such offender shall be found, to apprehend them and every of them, as well without warrant as with warrant, and bring them before the Mayor, or any Justice of the Peace or Head-Officer where any such person and persons

sons shall be apprehended; And if such Mayor, Justice or Head-Officer shall finde cause upon his own view, confession of the party, or the Oath of One or more sufficient witnesses (which Oath he shall have hereby power to administer) then he shall commit such person to Prison, there to remain without Bail or Mainprize until the next General Sessions of the Peace to be holden for the County, City or place where the Offence shall be committed; And if upon Information, Presentment or Indictment, such person or persons shall at the General Sessions of the Peace (who have hereby power to hear and determine the same by confession or Oath of two or more sufficient witnesses) be found guilty for maliciously, wilfully or of purpose molesting, letting, disturbing or otherwise troubling such Minister or Publick Preacher, or making any disturbance as aforesaid, every person so convicted, shall forfeit the sum of five pounds, One moiety to the use of His Highness the Lord Protector, and the other moiety to him or them that will sue or prosecute for the same; or at the discretion of the said Justices, shall be sent to the House of Correction or Workhouse, to be set to hard labor, with such moderate Correction, as in the discretion of the said Justices shall be thought fit for some time, not exceeding Six months.

And it is Enacted by the Authority aforesaid, That all persons Contributing, Printing or Publishing any Papers, Books or Pamphlets for allowance of Sports and Pastimes upon the Lords Day, or against the Morality thereof, shall forfeit the Sum of five pounds, or be committed to the House of Correction as aforesaid.

And it is Enacted by the Authority aforesaid, That in case any Wares or Commodities shall be seized and secured for being sold, exposed, or offered to be sold, contrary to this Act, and the offenders therein convicted as aforesaid, All such Wares and Commodities, or the value thereof, at the discretion of the Mayor, Head-Officer or Justice, shall be disposed of to the use of the Poor of the Parish where such Wares shall be first seized, Saving that it shall be in the power of such Mayor, Justice of Peace or Head-Officer, out of the same to reward any person that shall Inform, or otherwise prosecute

secute any person for the said offence according to their discretion, so as such reward exceed not the third part of the wares and Commodities so seized, and so as no reward be given to any person upon whose oath onely the offender shall be convicted; And all Sums of Money and Forfeitures not otherwise disposed of by this Act, shall be employed for the use of the Poor of the Parish where the several offences shall be committed, Saving onely that it shall be lawful to and for any Mayor, Justice of Peace or Head-Officer, out of the said Forfeitures to reward any such persons that shall Inform, or otherwise Prosecute any persons for the same, according to their discretion, so as such reward exceed not the third part of the forfeiture, and so as no reward be given to any person upon whose oath onely the offender shall be convicted. Provided always, That no person or persons shall be impeached or molested for any offence within this Act, unless he or they be thereof convicted within One Month after the offence committed.

And it is Enacted by the Authority aforesaid, That all Mayors, Justices of the Peace, Head-Officers, the Governors of Inns of Court and Chancery, all Masters and Governors of Schools and families, and the Governors of the Company of Watermen for the River of Thames (who for the purposes in this Act mentioned, shall have the Power of Constables upon the said River, and upon any Keys, Wharfs or Banks thereof) and all other Officers and persons herein concerned, are hereby enjoined and authorized within their several Limits and Jurisdictions, to see this Act put in due and speedy execution, upon pain that all and every person and persons neglecting to do his and their respective duties, in putting this Act in due and speedy execution, being thereof duly convicted by Bill, Plaint, Writ or Action of Debt, in any Court of Record, or upon Presentment, Information or Indictment before any Justices of the Peace in their open Sessions (who have hereby power to hear and determine the same) shall forfeit the Sum of five pounds; one moiety whereof shall be to the use of His Highness the Lord Protector, and the other moiety to him or them that will prosecute for the same.

And it is hereby Enacted by the Authority aforesaid, That no Writ of Certiorari shall be granted or allowed for the removing any Action, Suit, Presentment, Information, Indictment, or any other Proceedings against any person for offending against this Law; And that in any Action brought against any Justice of Peace, Churchwardens, Overseers of the Poor, Constables, or any other Officers or persons whatsoever, for acting or doing, or commanding to be acted or done, any matter or thing in pursuance of this Act, or for being aiding or assisting thereunto, the Defendant in every such Action shall & may plead the general Issue, and give the special Matter in Evidence, and upon Non-suit of the Plaintiff, or Verdict passing for the Defendant, the Defendant shall have and recover his and their treble Costs.

And it is lastly Enacted, That the Churchwardens or other Officers of every Parish within this Commonwealth, do at the charge of the Parish procure one or more of these Acts to be safely kept in their respective Parishes; and the Ministers of each Parish are hereby enjoined in every year, that is to say, Upon the first Lords-Day in March yearly, immediately before the Morning Sermon, to read, or cause to be read this present Act.

Provided, That this Act shall not extend to authorize or empower any Constable or Officer, without the special Warrant of one or more Justice or Justices of the Peace, to enter, or demand Entrance into any house upon pretence of execution of his or their office by vertue of this Act, other then into Taverns, Inns, Ale-houses, Tobacco-shops, Victualling-houses or Tipling-houses, Any thing in this Act to the contrary notwithstanding.

D U B L I N,
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